

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

GREGGORY BECKOM,

Plaintiff,

v.

TAMIKA SALAWHITE,

Defendant.

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CIVIL ACTION NO. 5:19-cv-145-RWS

ORDER

Plaintiff Gregory Beckom, proceeding *pro se*, filed the above-styled and numbered civil action complaining of alleged violations of his constitutional rights. Plaintiff Beckom asserted that Defendant falsely accused him of criminal activity. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge (Docket No. 9), along with the record, pleadings and all available evidence. The Magistrate Judge recommends dismissing the lawsuit because there was no showing that Defendant was a state actor.

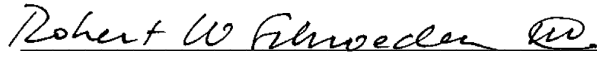
The Magistrate Judge's Report was mailed to Plaintiff Beckom's last known address, but it was returned as undeliverable. Docket No. 10. Plaintiff Beckom is a *pro se* litigant, and, under the Local Rules of the Eastern District of Texas, *pro se* litigants must provide the Court with a physical address and are "responsible for keeping the clerk advised in writing of the current physical address." Local Rule CV-11(d). To date, Plaintiff Beckom has not updated his address with the Court or filed objections to the Report.

Because Plaintiff Beckom did not file objections to the Report, he is not entitled to *de novo* review by the undersigned of those findings, conclusions and recommendations, and except upon grounds of plain error, he is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. 28 U.S.C. § 636(b)(1)(C); *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

Nonetheless, the Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge and agrees with it. See *United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give to the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound discretion of the judge warrants, . . .’”) (quoting *Mathews v. Weber*, 23 U.S. 261, 275 (1976)). Accordingly, the Court hereby **ADOPTS** the Report of the United States Magistrate Judge (Docket No. 9) as that of this Court. It is therefore

ORDERED that the above-styled civil action is **DISMISSED WITH PREJUDICE** for purposes of proceeding *in forma pauperis* for failure to state a claim upon which relief may be granted.

So ORDERED and SIGNED this 16th day of March, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE